

The A. F. of L. Weekly News Service gives a full account of the important matters affecting labor, occurring in the industrial, legislative and judicial fields, and other information that will benefit the trade union movement.

WAGNER AND BLAINE SPEECHES

WEEKLY NEWS SERVICE

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WHOLE NO. 1091.

WILLIAM GREEN, President

WASHINGTON, D. C., SATURDAY, MARCH 5, 1932

FRANK MORRISON, Secretary

VOL. 21, NO. 52

Abolition of Injunctions in Labor Disputes Urged by Senator Wagner

Workers' Freedom Destroyed and Federal Courts Turned Into Strike-Breaking Agencies—Insists Norris Anti-Injunction Bill Must Be Passed to Protect Right of Labor to Organize and Prevent the Workers Being Turned Into Mere "Drawers of Water and Heavers of Wood."

Washington, March 5.—A warning denunciation of injunctions in labor disputes for the smothering restrictions which they place on the workers' freedom of speech, freedom of association, and freedom to cooperate in refraining from work, characterized the speech of Senator Robert F. Wagner, of New York, in the U. S. Senate in favor of the enactment of the Norris anti-injunction bill.

He stated that our Federal judges, by their increased issuance of injunctions, have in reality turned the Federal courts into strike-breaking agencies. The Norris bill declares labor injunctions void, and they are to be nullified by the public policy of the Federal States and the Federal judges from issuing them.

Economic Growth Compels Injunction Restriction.

It has been charged that the pending bill constitutes special legislation, Senator Wagner said:

"I admit it. The bill deals not with injunctions generally but with injunctions in labor disputes."

Years a lawyer trained in the common law of a century ago, he would wonder that the dispute between employers and employees should be studied out of the law.

It would be amazed that the injunction should require such detailed legislation.

The reason, however, is self-evident to anyone who reads the bill in its proper context as part of the picture of economic growth in these two centuries.

Legal Conception Built on Mythical Equality.

"More than 20 years ago Dean Roscoe Pound, of the Harvard Law School, asked the question: 'Why is the legal conception of the relation between employer and employee so different from the common knowledge of mankind?'"

The legal conception of the relation between employer and employee is a mythical creature, a creature of a mythical era, a creature of a mythical time.

The results of the legislation of that legal conception were, however, very practical.

It lived iniquity, it permitted slavery, it continued slavery, it made the law failed to recognize, it.

Concerted Action by Workers Denied.

"Through life and the history of legislation have by far been securing the cooperation and the consent of the knowledge of mankind."

The following sentence, for instance, has to a large extent succeeded in convincing mankind:

"But the area of concerted action by workers has not been so much in the sphere of the common knowledge of mankind."

As far back as 1857 New York, that State which has been so long and so often as the cradle of an employer who has been so long and so often as the cradle of a union, has been so long and so often as the cradle of a union.

Clayton Act Injunction Provision Nullified.

"But all these efforts were nullified by the courts, both State and Federal. We thought we were nullified by the courts, both State and Federal. We thought we were nullified by the courts, both State and Federal."

Government Action in Labor Disputes.

"Our problem is no less than that of government action in the control and control between labor and industry."

NEW YORK SPENDS \$78,000 PER DAY FOR HOME RELIEF

New York, March 5.—New York City is spending \$78,000 a day on home relief for more than 90,000 persons out of 115,000 who have applied for relief.

SENATOR NORRIS' ANTI-INUNCTION BILL

Overwhelming Vote of 75 to 5 Registered for the Measure—Outlaws the Yellow Dog Contract Barring Workers from Joining Trade Unions by Declaring That the Federal Courts Shall Not Enforce It—Prohibits Judges from Interfering with Unions in Organizing the Workers or in Conducting Strikes—List of Senators Who Voted For and Against the Bill—House Judiciary Committee Reports Out the La Guardia Anti-Injunction Bill, Which Is Practically the Same as Norris Bill

Washington, March 5.—The Norris anti-injunction bill passed the U. S. Senate by the overwhelming vote of 75 to 5.

The bill curbs the use of injunctions in labor disputes, outlaws the yellow dog contract, and prohibits judges from interfering with unions to interfere with strikes and other legitimate union activities.

Labor Wins Long Fight.

The large majority in the Senate in favor of the bill followed long years of effort by labor to obtain such legislation.

The final vote came at the end of more than a week of debate, in which the bill was introduced by Senator Norris, of Nebraska.

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Senator Blaine Says Norris Injunction Bill Frees Labor

Declares Labor Injunctions Lower Standing of Judiciary and Undermine Government—Compensates, Green and Roosevelt Undermine Them—Norris Bill Guarantees Right to Organize, Bans Injunctions Prohibiting Strikes, Limits "Conspiracies" in Labor Disputes, and Insures Effective Jury Trial in Contempt Cases.

Washington, March 5.—The issuance of injunctions in labor disputes has lowered the standing of the United States Supreme Court, said Senator John J. Blaine, of Maine, in a convincing argument in the U. S. Senate for the enactment of the Norris anti-injunction bill.

"Whether the courts misconstrued the scope and meaning of the act of Congress was, defective is immaterial in this connection."

The important fact is that the labor actions of the Clayton Act—aside from the sections relating to jury trial in cases of indirect criminal contempt—were all null and void, and also a crime—have become meaningless and have completely failed of their purpose.

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GREEN ESTIMATES IDLE AT 8,300,000 PERSONS

2,000,000 Jobs Scrapped by Machines and Efficiency Measures, AFL Head Says—35-Hour Week Only Plan to Provide Work for All the Jobless.

Washington, March 5.—William Green, president of the American Federation of Labor, said today that the unemployment problem is a national problem, and it is a national problem.

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UNION LABEL CAMPAIGN SCHEDULED FOR APRIL

Union Label Trades Department of A. F. of L. Urges Labor Cooperation in Interest of Jobless Relief.

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NATIONAL DRIVE FOR JOBS PLACES 127,574 WORKERS

Woll Says Organized Labor's Cooperation in United Action Campaign Is Bringing Results and Predicts That Million Jobs Will Be Found.

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DANISH UNIONS RESIST 20 PER CENT WAGE CUT

Workers Determined to Protect Themselves Against Rising Prices and Cost-of-Living Wages—Lockout of 85,000 Decried.

Copenhagen, Denmark, March 5.—A prolonged labor dispute again threatened the Danish capital today.

Because of the depreciation of the Danish currency and the unsettled conditions in the labor market, the workers determined to be able to protect themselves against anticipated rise in prices.

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AMERICAN FEDERATION OF LABOR WEEKLY NEWS SERVICE

SATURDAY, MARCH 5, 1932

Issued from the Headquarters of the American Federation of Labor, A. F. of L. Building, Washington, D. C.

The American Federation of Labor Weekly News Service was authorized by the 1918 Convention of the American Federation of Labor. The Executive Council of the American Federation of Labor inaugurated the Service on April 8, 1921.

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The Labor Injunction Act Work

Conservatives afflicted with respect for the brutality of certain types of employers and belief in the infidelity of the judicial system of injunction judges frequently express surprise at Labor's unequalled condemnation of the injunction system for its destruction of the fundamental rights of American workers.

A sample picture of the use of one injunction recently issued will at least give the conservative a fair idea of the nature of the thing.

On January 28, 1932, the District Court of the United States for the Eastern District of Kentucky granted an injunction, asked for by a coal company, against the United Mine Workers of America and its members, coal miners and tenants of the company.

Referring to the injunction said:

"And each of them is here and now hereby enjoined and restrained from the further orders of this court are made known herein from remaining on or coming to or near any of the premises of the coal company, and each of them is now enjoined to remove from said premises with all their effects within ten days from and after the 28th day of January, 1932."

This is a plain case of a Kentucky mining company desiring to evict some of its miners, occupy the law courts, and secure permanent rights and obtain certain procedure by which they can secure possession of the mines. But the company, when the United Mine Workers of America and the judge threw out an injunction.

Senator Blaine of Wisconsin recently discussed this injunction in the U. S. Senate.

"This is a sample of injunctions issued in labor disputes.

The laws of the State of Kentucky provide for actions, unlawful detainer actions may be entertained, civil actions may be prosecuted to enforce the rights of employers, and yet those employers resorted to this injunction to enforce their rights."

"They set at naught the laws of the State of Kentucky."

Indeed, the employers who are engaged in obtaining some of these injunctions have no hesitation in asking a court to set aside the Constitution of the United States.

"Here there is a human situation."

These men and women are Americans through whose veins course the blood of their fathers and mothers.

They are driven out in the very midst of the chill of winter, not according to law, not according to the remedies provided for by the employers, but driven out notwithstanding the law, and notwithstanding the constitutional guarantees of these citizens."

This is but a single instance showing the character and degree of abuse that has been exercised in obtaining relief through the injunction process."

There are many injunctions in labor disputes on record in which the union employers and judges have outraged Labor's constitutional rights even more seriously than the case just cited.

With the record available, it is tragic that there are still American citizens who stand by the labor injunction and protest against American exercising its authority to curb the power of judges to issue them.

It is doubly tragic that six members of the Senate of the United States, Congress, perfectly familiar with the abuses of the labor injunction, are out in outraging Labor's rights, voted against the Norris injunction bill, and thus favored the perpetuation of the labor-injunction system.

"Lame Duck" Congresses

The agreement by the U. S. Senate and House of Representatives on the philosophy of the Norris "lame duck" resolution to amend the Federal Constitution by changing the dates when the terms of the President, Vice President, and members of Congress shall end, is a move which will constitute one to the last step to end the so-called "lame duck" sessions of Congress.

Under the Norris amendment the terms of members of Congress will begin on January 3, Congress will convene on that date annually, instead of thirty months after the inauguration of a President, as at present, and the President and Vice President will be inaugurated on January 20.

Under the present law, the inauguration of a President and members of Congress, the President and the Vice President begin on March 4.

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Wagner Declares Yellow Dog Contract Imposes Bondage Upon the Workers

Based on Inequality—Employees, Left Helpless, Must Sign or Go Hungry—Condemned by Conscience as "Wicked and Infamous"—Norris Bill Brands It as Inimical to Welfare of Nation and Prohibits Courts from Enforcing It.

Washington, March 5.—The "yellow dog" contract was denounced as utterly "wicked and infamous" by Senator Robert F. Wagner of New York in his speech in the Senate today on the Norris anti-injunction bill.

The "yellow dog" contract is a promise made by workers as a condition of employment, not to belong to a trade union during the period of their employment.

The Norris anti-injunction bill practically outlaws such contracts by declaring that no employer shall be able in the United States Courts and specifically prohibit judges from using injunctions or any other judicial process to enforce them.

Senator Wagner said: "It is difficult," Senator Wagner said, "to understand the purpose of the so-called 'yellow dog' contract among the workers. It is a contract which requires the worker to agree not to join any labor union, and, if he does, he will be liable for damages."

"If the worker is in a position where he is forced to sign such a contract, it is a promise which is made under duress, and it is a promise which is made under duress."

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Yellow-Dog Contract Menaces Life Of Labor Unions, Blaine Declares

Wisconsin Senator Says Antinotion Judges Use Yellow Dog Pledge To Establish an Absolutism Under Which Employers "Dictate Every Phase of the Life of Their Employees"—Norris Anti-Injunction Bill Outlaws the Notorious Practice

Washington, March 5.—A ringing denunciation of the yellow dog contract as the instrument by which employers and players and courts to set up an employee dictatorship characterized the speech of Senator Blaine of Wisconsin in defense of the Norris anti-injunction bill in the United States Senate.

"The yellow dog contract is a promise made by workers as a condition of employment, not to belong to a trade union during the period of their employment."

The Norris anti-injunction bill practically outlaws such contracts by declaring that no employer shall be able in the United States Courts and specifically prohibit judges from using injunctions or any other judicial process to enforce them.

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Yellow-Dog Contract Menaces Life Of Labor Unions, Blaine Declares

Wisconsin Senator Says Antinotion Judges Use Yellow Dog Pledge To Establish an Absolutism Under Which Employers "Dictate Every Phase of the Life of Their Employees"—Norris Anti-Injunction Bill Outlaws the Notorious Practice

Washington, March 5.—A ringing denunciation of the yellow dog contract as the instrument by which employers and players and courts to set up an employee dictatorship characterized the speech of Senator Blaine of Wisconsin in defense of the Norris anti-injunction bill in the United States Senate.

"The yellow dog contract is a promise made by workers as a condition of employment, not to belong to a trade union during the period of their employment."

The Norris anti-injunction bill practically outlaws such contracts by declaring that no employer shall be able in the United States Courts and specifically prohibit judges from using injunctions or any other judicial process to enforce them.

Senator Blaine said: "It is difficult," Senator Blaine said, "to understand the purpose of the so-called 'yellow dog' contract among the workers. It is a contract which requires the worker to agree not to join any labor union, and, if he does, he will be liable for damages."

"If the worker is in a position where he is forced to sign such a contract, it is a promise which is made under duress, and it is a promise which is made under duress."

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